

02-0252



# Illinois Department of Transportation

Division of Aeronautics

1 Langhorne Bond Drive / Capital Airport / Springfield, Illinois / 62707-8415

June 11, 2002

**OFFICIAL FILE**

**ORIGINAL**

Donna M. Caton  
Chief Clerk  
Illinois Commerce Commission  
527 E. Capitol Avenue  
Springfield, IL 62701

**ILLINOIS COMMERCE COMMISSION**

CHIEF CLERK'S OFFICE

JUN 11 3 05 PM '02

ILLINOIS  
COMMERCE  
COMMISSION

Re: Comment on proposed rulemaking;  
83 Ill. Adm. Code 305.20

Dear Ms Caton:

On page 5,810 of the 26 April 2002 Illinois Register (vol. 26, issue 17), the Illinois Commerce Commission ("ILCC") proposed amending 83 Ill. Adm. Code 305.20 by incorporating by reference Part 2 of the National Electrical Safety Code C2-2002 (2002 edition) (NESC C-2).

NESC C-2 sets standards for the placement of wires and supporting structures in paragraphs 231 and 232 of §23 in Part 2. Those standards do not, however, address how much distance should be maintained between utility lines and aircraft runways. This lack of language allows utility lines and structures to be placed in locations that conflict with runway use. Utility line conflicts represent a serious safety concern for users of airports and other landing areas. The ILCC has the power and duty under §8-505 of the Public Utilities Act (220 ILCS 5/8-505) to "promote and safeguard the health and safety of ... the public" using landing strips by helping prevent conflicts with utility lines.

The Illinois Department of Transportation asks the Illinois Commerce Commission to modify its proposed amendment to §305.20 by stating that the incorporated standard is supplemented by specific provisions set out in Part 305. Robert Hahn and George Tinkham of my staff are available to work with ILCC personnel in developing specific language for these supplemental provisions. Robert may be reached at 524-1580. George's number is 785-4281.

Enclosed is language drafted by Robert and George that might be used as a starting point for discussions. The points this language attempts to make are:

- NESC C2 does not give all the requirements for utility line placement.
- Notice must be given to IDOT for placement of certain structures and overhead lines.
- The placement of certain structures and lines is not allowed.

This Department looks forward to working with the Commission in developing these regulations so that utility companies are not disadvantaged and airstrip users are protected. Please let either Robert Hahn or George Tinkham know what they can do to help. Thank you.

Sincerely,

Hugh Van Voorst  
Director

Enclosures

Suggested modifications to 83 Ill. Adm. Code Part 305

§305.20.\*

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b)

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- 3) Part 2 (Sections 20-17: Safety Rules for the Installation and Maintenance of Overhead Electric Supply and Communication Lines) except as otherwise provided in §§305.50(e) and 305.70(d) below.

§305.50.\*

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- e) The location of aircraft landing areas including, but not limited to, airports and restricted landing areas.

§305.70.\*

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- d) Airports and Other Landing Areas.

- 1) Construction or Alteration Requiring Notice - The Illinois Department of Transportation, Division of Aeronautics ("IDOT") (for items on airport or other landing area property) or the Federal Aviation Administration ("FAA") (for items off airport or other landing area property) shall be notified by each person who proposes any of the following construction or alterations:

A) Any construction or alteration of more than 200 feet in height above the natural ground level at its site.

B) Any construction or alteration of a height greater than an imaginary surface extending outward and upward at one of the following slopes:

i) 100 to 1 for a horizontal distance of 20,000 feet from the nearest point of the nearest runway of the airport, with at least one runway more than 3,200 feet in actual length.

ii) 50 to 1 for a horizontal distance of 10,000 feet from the nearest point of the nearest runway of the airport, with the longest runway not more than 3,200 feet in actual length.

iii) 25:1 for a horizontal distance of 5,000 feet from the nearest point of the nearest landing and take off area of each heliport or helipad.

- 2) Each person who is required to notify IDOT shall forward one executed form set of the FAA Form 7460-1 to the Illinois Department of Transportation, Division of Aeronautics, Capital Airport, 1 Langhorne Bond Drive Springfield, Illinois 62707-8415. Each person who is required to notify the FAA shall forward one executed form set of the FAA Form 7460-1 to the Great Lakes Regional Office, Air Traffic Division, AGL-520, 2300 East Devon Avenue, Des Plaines, Illinois 60018. Copies of FAA Form 7460-1 may be obtained from IDOT or downloaded from the IDOT or FAA web-sites.

- 3) Prohibited construction or alteration. No line shall be placed or altered in the areas described in the limits given in subsection (d)(1)(B) of this section 305.70 without a permit from IDOT.

220 ILCS 5/8-505. [Operation of public utilities' plants, equipment or other property to promote health and safety]

Sec. 8-505. The Commission shall have power, after a hearing or without a hearing as provided in this Section and upon its own motion, or upon complaint, by general or special orders, rules or regulations, or otherwise, to require every public utility to maintain and operate its plant, equipment or other property in such manner as to promote and safeguard the health and safety of its employees, customers, and the public, and to this end to prescribe, among other things, the installation, use, maintenance and operation of appropriate safety or other devices or appliances, to establish uniform or other standards of equipment, and to require the performance of any other act which the health or safety of its employees, customers or the public may demand.

(P.A. 84-617; 84-1025.)